

**IT IS SO ORDERED.**

Dated: 02 November, 2010 12:54 PM

  
RANDOLPH BAXTER  
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re	)	Chapter 11
	)	
Kiebler Recreation, LLC	)	Case No. 10-15099
	)	
Debtor.	)	Judge Baxter
	)	

**SEVENTH STIPULATION AND AGREED ORDER FURTHER EXTENDING:**

**AGREED THIRD INTERIM ORDER AUTHORIZING THE USE OF  
CASH COLLATERAL AND GRANTING ADEQUATE PROTECTION**

This matter having come before the Court upon the seventh stipulation of Debtor Kiebler Recreation, LLC, the Official Committee of Unsecured Creditors, The Huntington National Bank, PNC Bank, and Vincent Cross, Executor of the Estate of Norbert Cross and Raquel Cross,

Executrix of the Estate of Eugene Cross for the entry of an order (the "Seventh Extension Order") extending the terms of that certain Interim Order, dated as of July 2, 2010, Authorizing the Use of Cash Collateral and Granting Adequate Protection, as amended (the "Third Interim Cash Collateral Order") [docket # 126],<sup>1</sup> and the Court finding that good cause exists for the entry of this Seventh Extension Order, it is hereby ADJUDGED, DECREED AND

**ORDERED** that the second "ORDERED" paragraph on page 2 of the Third Interim Cash Collateral Order is hereby amended to state as follows: "The Debtor is authorized to use Cash Collateral to operate the Debtor's business in the ordinary course, including to pay its actual, necessary, ordinary course operating expenses, from the date of this Order through December 12, 2010, pursuant to section 363(c)(2) of the Bankruptcy Code; provided that the Debtor is authorized to use Cash Collateral only for the payment of, or reimbursement for permitted "Cash Disbursements," on a cumulative basis, as contained in the budget attached hereto as Exhibit A (the "Budget"), through December 12, 2010"; and it is further

**ORDERED** that notwithstanding anything contrary contained in the Budget, Huntington does not consent to the payment of any professional fees due to any Court-approved professional or to any carveout for the payment of such professional fees; and it is further

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<sup>1</sup> The Third Interim Cash Collateral Order was initially amended by that certain First Stipulation and Agreed Order Extending: Agreed Third Interim Order Authorizing the Use of Cash Collateral and Granting Adequate Protection, dated as of July 22, 2010 [docket # 155] (the "First Extension Order"). It was next amended by that certain Second Stipulation and Agreed Order Further Extending: Agreed Third Interim Order Authorizing the Use of Cash Collateral and Granting Adequate Protection, dated as of August 4, 2010 [docket # 180] (the "Second Extension Order"). It was then amended by that certain Third Stipulation and Agreed Order Further Extending: Agreed Third Interim Order Authorizing the Use of Cash Collateral and Granting Adequate Protection, dated as of September 2, 2010 [docket # 215] (the "Third Extension Order"). It was then amended by that certain Fourth Stipulation and Agreed Order Further Extending: Agreed Third Interim Order Authorizing the Use of Cash Collateral and Granting Adequate Protection, dated as of September 28, 2010 [docket # 258] (the "Fourth Extension Order"). It was then amended by that certain Fifth Stipulation and Agreed Order Further Extending: Agreed Third Interim Order Authorizing the Use of Cash Collateral and Granting Adequate Protection, dated as of October 18, 2010 [docket # 285] (the "Fifth Extension Order"). It was most recently amended by that certain Sixth Stipulation and Agreed Order Further Extending: Agreed Third Interim Order Authorizing the Use of Cash Collateral and Granting Adequate Protection, dated as of October 25, 2010 [docket # 296].

**ORDERED** in all other respects, the Third Interim Cash Collateral Order, as modified by the First, Second, Third, Fourth, Fifth and Sixth Extension Orders, shall remain in effect.

**IT IS SO ORDERED.**

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Jointly Submitted,

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Bankruptcy Operating Budget - Cash Basis  
Peak Peak Resort

Prestin Peak Resort  
Bankruptcy Operating Budget - Cash Basis

	1-day Sub-period		Week Ending on Sunday to Match Company's Internal Cash Management Tool												
	Ending	Beginning	10/1/10	10/11/10	10/12/10	10/13/10	11/7/10	11/14/10	11/21/10	12/5/10	12/12/10	12/19/10	12/26/10	1/2/11	
1. Assets															
% of sales															
Furniture, Fixtures & Equipment (FF&E), Tents, Tents, Leases	\$6	101.4%	-	-	-	-	25,611.00	-	-	25,611.00	-	-	-	51,222.00	
Leases	57	1.58%	-	-	-	-	20,000.00	-	-	20,000.00	-	-	-	40,000.00	
Equipment (FF&E), Tents, Tents, Leases	58	1.58%	-	-	-	-	11,260.00	-	-	11,260.00	-	-	-	22,520.00	
Total Capital Leases	12,001.00	-	-	-	-	-	-	735.00	-	45,611.00	1,922.00	-	20,735.00	76,290.00	
Total Debt Service	4,420.00	-	-	-	-	-	-	-	-	-	-	-	-	22,287.00	
Net Cash from Operations After Debt Service	-2,274%	-	-	-	-	-	1,922.00	792.00	-	50,693.00	-	-	-	(114,883.00)	
Ending Cash Balance	56,941.00	(145,782.00)	(30,244.00)	10,361.00	29,172.00	(43,952.00)	102,652.00	240,810.00	20,442.00	(314,419.00)	(6,659.00)	(2,442.00)	(169,96)	58,735.00	(74,845.00)
Oct Net Cash Flows	6,697.00	16,958.00	45,131.00	3,068.00	106,933.00	356,863.00	376,305.00	61,885.00	53,131.00	43,770.00	43,540.00	9,635.00	87,340.00	87,840.00	
New Net Cash Flows															
2. Liabilities															
% of sales															
Accounts Payable	56	101.4%	-	-	-	-	-	-	-	-	-	-	-	-	Totals 9/30/2010
Accrued Expenses	57	1.58%	-	-	-	-	-	-	-	-	-	-	-	-	Int 12/2011
Total Liabilities	58	1.58%	-	-	-	-	-	-	-	-	-	-	-	-	
Total Capital Leases	12,001.00	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total Debt Service	4,420.00	-	-	-	-	-	-	-	-	-	-	-	-	-	
Net Cash from Operations After Debt Service	-2,274%	-	-	-	-	-	-	-	-	-	-	-	-	-	
Ending Cash Balance	56,941.00	(145,782.00)	(30,244.00)	10,361.00	29,172.00	(43,952.00)	102,652.00	240,810.00	20,442.00	(314,419.00)	(6,659.00)	(2,442.00)	(169,96)	58,735.00	(74,845.00)
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New Net Cash Flows															
3. Equity															
% of sales															
Common Stock	56	101.4%	-	-	-	-	-	-	-	-	-	-	-	-	
Retained Earnings	57	1.58%	-	-	-	-	-	-	-	-	-	-	-	-	
Total Equity	58	1.58%	-	-	-	-	-	-	-	-	-	-	-	-	
Total Liabilities and Equity	58	101.4%	-	-	-	-	-	-	-	-	-	-	-	-	

\* Beginning Cash Balances on this spreadsheet comes from the Budget to Actual Reconciliation filed through September 23, 2010.  
\*\* Some of the smaller dashes are included in the operating expense lines above while some are in the capital lease section below. These line items will be combined in the next version of this budget file. The information to accurately accumulate those leases is not available at this time.

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